

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARWAN T. MUSTAFA,

Plaintiff,

-against-

NEW YORK CITY, DEPARTMENT OF
CORRECTION NYC AND UNNAMED
INDIVIDUALS,

Defendants.

23-CV-6516 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By orders dated October 27, 2023 and January 16, 2024, the Court directed Plaintiff to file an amended complaint. Those orders specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an amended complaint. Accordingly, the complaint, filed *in forma pauperis* (“IFP”) under 28 U.S.C. § 1915(a)(1), is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: April 26, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge